

1 GIBSON, DUNN & CRUTCHER LLP WEST COAST EMPLOYMENT LAWYERS, APLC
2 THEODORE J. BOUTROUS, JR., SBN 132099 ALLEN PATATANYAN, SBN 210586
tboutrous@gibsondunn.com allen@westcoasttriallawyers.com
3 THEANE EVANGELIS, SBN 243570 NEAMA RAHMANI, SBN 223819
tevangelis@gibsondunn.com nr@westcoasttriallawyers.com
4 HEATHER RICHARDSON, SBN 246517 RONALD L. ZAMBRANO, SBN 255613
hrichardson@gibsondunn.com ron@westcoasttriallawyers.com
5 333 South Grand Avenue 350 South Grand Avenue, Suite 3325
Los Angeles, CA 90071-3197 Los Angeles, CA 90071
6 Telephone: 213.229.7000 Telephone: 213.927.3700
Facsimile: 213.229.7520 Facsimile: 213.927.3701
7
8 Attorneys for Defendant UBER Attorneys for Plaintiffs
TECHNOLOGIES, INC. JERICHO NICOLAS, et al., individually and on
9 behalf of all others similarly situated

10
11 JERICHO NICOLAS, et al., individually and
12 on behalf of all others similarly situated,
13

14 Plaintiffs,

15 v.

16 UBER TECHNOLOGIES, INC.,
17

18 Defendant.
19

20 CASE NO. 4:19-cv-08228-PJH
21

22 **JOINT STIPULATION AND [PROPOSED]
23 ORDER TO EXTEND BRIEFING
24 SCHEDULES AND RESET HEARING DATE**

25 ****AS MODIFIED BY THE COURT****

26 Hon. Phyllis J. Hamilton
27
28

1 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Jericho Nicolas, et al. (“Plaintiffs”) and
2 Uber Technologies, Inc. (“Defendant”) (collectively, the “Parties”), by and through their respective
3 counsel of record, hereby stipulate and agree as follows:

4 WHEREAS, Plaintiffs filed a Class Action Complaint on December 18, 2019 (Dkt. 1) and
5 served Defendant on December 30, 2019;

6 WHEREAS, the Court issued an Order Setting Initial Case Management Conference and
7 ADR Deadlines setting the initial case management conference for March 19, 2020 at 2:00 p.m. (Dkt.
8 7);

9 WHEREAS, Plaintiffs filed a Class Action Amended Complaint on January 6, 2020 (Dkt. 9);

10 WHEREAS, Defendant filed a Motion to Compel Arbitration (Dkt. 17) and Motion to
11 Dismiss Plaintiffs’ First Amended Class Action Complaint with a Request for Judicial Notice (Dkts.
12 19–20) on March 5, 2020;

13 WHEREAS, Defendant noticed the hearing on its Motion to Compel Arbitration and Motion
14 to Dismiss Plaintiffs’ First Amended Class Action Complaint for April 15, 2020 at 9:00 a.m. (Dkts.
15 17, 19);

16 WHEREAS, the Court issued a notice continuing the initial case management conference to
17 May 28, 2020 at 2:00 p.m. (Dkt. 21);

18 WHEREAS, the Court issued a notice vacating all hearings set until May 1, 2020, including
19 the Parties’ hearing set for April 15, 2020 at 9:00 a.m., due to the current public health emergency
20 caused by the coronavirus disease (Dkt. 22);

21 WHEREAS, the Parties met and conferred regarding Defendant’s motions and agreed to
22 provide additional time for Plaintiff to oppose the motions and for Defendant to reply;

23 WHEREAS, to conserve the Court’s and the Parties’ resources by having Defendant’s
24 motions heard on the same date and time as the initial case management conference;

25 NOW THEREFORE, the Parties, through their undersigned counsel, hereby stipulate, agree,
26 and respectfully request that the Court modify the briefing schedule and reset the hearing date for the
27

1 pending Motion to Compel Arbitration and Motion to Dismiss Plaintiffs' First Amended Class
2 Action Complaint as follows:

3 Plaintiffs' deadline to file oppositions to 4 Defendant's Motion to Compel Arbitration and 5 Motion to Dismiss Plaintiffs' First Amended 6 Class Action Complaint	Thursday, April 16, 2020
7 Defendant's deadline to file reply briefs in 8 support of its Motion to Compel Arbitration and 9 Motion to Dismiss Plaintiffs' First Amended Class Action Complaint	Thursday, May 7, 2020
8 Hearing on Defendant's Motion to Compel 9 Arbitration and Motion to Dismiss Plaintiffs' First Amended Class Action Complaint	Thursday, May 28, 2020 at 2:00 p.m.

10 **IT IS SO STIPULATED.**

11 Dated: March 17, 2020

GIBSON, DUNN & CRUTCHER LLP

13 By: /s/ Heather Richardson
14 Heather Richardson

15 Attorneys for Defendant
16 UBER TECHNOLOGIES, INC.

17 Dated: March 17, 2020

WEST COAST EMPLOYMENT LAWYERS, APLC

19 By: /s/ Ronald Zambrano
20 Ronald Zambrano

21 Attorneys for Plaintiffs JERICHO NICOLAS, et al.,
22 individually and on behalf of all others similarly situated

1 **[PROPOSED] ORDER **AS MODIFIED BY THE COURT****
2

3 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** The hearing on Defendant's Motion to
4 Compel Arbitration and Motion to Dismiss Plaintiffs' First Amended Class Action Complaint is
5 specially set for ~~May 28, 2020 at 2:00 p.m.~~ May 27, 2020 at 9:00 am.
6

7 Dated: March 18, 2020

8 /s/ Phyllis J. Hamilton

9 The Honorable Phyllis J. Hamilton
10 United States Chief District Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

ECF ATTESTATION

I, Heather Richardson, hereby attest that concurrence in the filing of this document has been obtained from Ronald Zambrano, and that this document was served by electronic filing on March 17, 2020, on all counsel of record.

By: _____ /s/ *Heather Richardson*
Heather Richardson

CERTIFICATE OF SERVICE

I hereby certify that on March 17, 2020, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

GIBSON, DUNN & CRUTCHER LLP

By: _____ /s/ *Heather Richardson*
Heather Richardson

Attorneys for Defendant
UBER TECHNOLOGIES, INC.